

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Madeleine Clayton 07/30/2002
Departmental Forms Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6086
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a revision of an information collection received on 06/13/2002.

TITLE: Northeast Region Logbook Family of Forms

AGENCY FORM NUMBER(S): 88-30,88-140

ACTION : APPROVED WITHOUT CHANGE

OMB NO.: 0648-0212

EXPIRATION DATE: 07/31/2005

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	80,648	6,477	30
New	64,750	5,940	25
Difference	-15,898	-537	-5
Program Change		425	2
Adjustment		-962	-7

TERMS OF CLEARANCE: None

OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of
Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated 5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No 6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) (<i>if applicable</i>)	
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

**SUPPORTING STATEMENT
NORTHEAST REGION LOGBOOK FAMILY OF FORMS
OMB CONTROL NO. 0648-0212**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

Under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Secretary of Commerce (Secretary) has the responsibility for the conservation and management of marine fishery resources. Much of this responsibility has been delegated to the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS). Under this stewardship role, the Secretary was given certain regulatory authorities to ensure the most beneficial uses of these resources. One of the regulatory steps taken to carry out the conservation and management objectives is to collect data from users of the resource. Thus, as regional Fishery Management Councils develop specific Fishery Management Plans (FMP), the Secretary has promulgated rules for the issuance and use of a vessel Interactive Voice Response (IVR) system and vessel logbooks to obtain fishery-dependent data to monitor, evaluate, and enforce fishery regulations. This comprehensive system accounts for fishing activity and landings necessary to enforce and monitor management measures intended to prevent or eliminate overfishing.

The Magnuson-Stevens Act requires that conservation and management measures must prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery. These measures must be based on the best scientific information available. The use of an IVR system and logbooks are essential ingredients in the management of fishery resources. Section 303(a)(5) of the Magnuson-Stevens Act specifically identifies the kinds of data to be collected for FMPs, and NMFS obtains much of this data through IVR and logbooks.

Almost every international, federal, state, and local fishery management authority recognizes the value of logbooks, and uses the data as a part of their management system. Resulting data are used by economists, biologists, and managers to develop, monitor, and enforce controls on fishery harvests. Without the fundamental data collected from vessel operators through logbooks and the IVR, NMFS would be unable to meet its statutory requirements under the Magnuson-Stevens Act.

There is increasing industry support for mandatory reporting as the need for more comprehensive reporting is recognized. Currently, mandatory reporting requirements are applied to all vessels permitted under the Atlantic mackerel, squid, butterfish, Atlantic sea scallop, Atlantic surfclam, ocean quahog, Northeast (NE) multispecies, monkfish, summer flounder, scup, black sea bass, Atlantic bluefish, spiny dogfish, Atlantic herring, or tilefish FMPs. If a vessel is permitted in more than one of these fisheries, only one report needs to be submitted to fulfill reporting requirements for all species. Reports of fishing activity must be submitted within 15 days after the end of the reporting month. Vessels are required to submit "negative reports" if no fishing

activity occurred in a reporting month. Submission of negative reports allows NMFS to accurately identify vessels that are not fishing versus those which have failed to submit reports. The logbook is especially valuable in remote ports, where no NMFS Field Agents are available to conduct in-person trip interviews or observe catches during off loading.

In the halibut fishery, participants are asked to make voluntary reports on the size of halibut caught and time of day caught. This information is collected on the vessel logbooks which are completed by the vessel owner/operator for each fishing trip.

In addition to vessel logbook requirements, vessels with tilefish limited access permits or herring permits are required to submit a catch report via the IVR. In order to monitor catch levels in a timely manner so that effort controls can be implemented before catch limits are attained, herring catches must be submitted within three days after the end of the reporting week. Tilefish catch reports must be submitted within 24 hours after offloading. Reports are submitted to the IVR using a toll-free telephone number. The information necessary for IVR weekly catch reports is a fraction of that required by vessel logbooks.

2. Explain how, by whom, how frequently, and for what purpose the information will be used.

The information collected using vessel IVR and logbooks will be used by several offices of NMFS, the U.S. Coast Guard, the Mid-Atlantic and New England Fishery Management Councils, and state fishery enforcement agencies under contract to NMFS to develop, implement, and monitor fishery management strategies. Analyses and summarization of IVR and logbook data are used by NMFS, the Council, the Departments of State and Commerce, OMB, the fishing industry, Congressional staff, and the public, to answer questions about the nature of our fisheries resources.

The logbook data serve as inputs for a variety of uses, including biological analyses and stock assessments, regulatory impact analyses, quota allocation selections and monitoring, economic profitability profiles, trade and import tariff decisions, allocation of grant funds among states, and analysis of ecological interactions among species. NMFS would be unable to fulfill the majority of its scientific research and fishery management missions without these data.

IVR and logbook data will also be obtained to quantify actual fishing effort. Further, the landings data that the logbooks provide are critical to accurately monitor fishing mortality targets. Fishing effort information is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate of catch per unit time. This information allows comparisons over time and space of catches made by a variety of harvesters. Comparisons of catch and catch per unit effort (CPUE) over time are significant indicators of the biological status of the fishery.

Almost all logbooks collect similar data elements, although a few variables may be specific to one fishery or type of management technique controlling harvest. The two logbooks in use

(NOAA Forms 88-30 and 88-140) generally collect the same information, with minor differences as evidenced below.

Fishing Vessel Trip Reports (FVTRs) (NOAA Form 88-30)

Vessel name and permit number/documentation number. The vessel permit number is a unique number assigned to each vessel issued a federal permit. This information is needed to accurately identify each fishing vessel for which a logbook report has been submitted. Requiring both the vessel name and permit number allows NMFS staff to cross-check both pieces of information to confirm the correct identity. Permit numbers are especially important for monitoring compliance with the reporting regulations and for matching the logbook data submitted by the vessels with the reports of fish purchases provided by dealers.

Trip type, number of crew, and number of anglers. Trip type is used to differentiate between commercial and recreational trips. The number of crew and number of anglers is needed to assign economic values to both the commercial and recreational segments of the fishing industry.

Date sailed/landed, number of hauls, duration of tows or sets, gear type, units and size of gear, and mesh size. This information is used to quantify actual fishing effort. Fishing effort is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate of catch per unit time. This information allows comparisons over time and space of catches made by a variety of harvesters. Comparisons of catch and CPUE over time are significant indicators of the biological status of the fisheries. Declining CPUE's can indicate overfishing beyond the level of harvest that is sustainable through natural growth and reproduction of the stock.

Chart area fished, depth, loran bearings or latitude/longitude. These variables are used to establish locations of fish capture, which can then be related to other biological and oceanographic information to predict species availability and likely future abundance. For example, locations of capture can be correlated to sea surface temperature measured by satellite to predict possible migration patterns. In addition, area or zone fished is used to cross-reference locations where fishing is not permissible (e.g., closed spawning grounds).

Landings and discards, by species. Such species information is the basic measure of fishing success from which fishermen, biologists, and economists draw conclusions about the status of a fishery. Landings information is also needed because controlling the quantity of fish harvested is often the means for ensuring continued harvests of renewable resources over time.

Name of buyer, dealer number, date sold, and port of landings. These data are used in enforcing fishery regulations to cross-reference the quantity of fish appearing on the market. Enforcement officers conduct inspections at fish off-loading sites to ensure

regulations are being met. These data elements are especially useful to monitor quotas or when other constraints on harvest are used. Also, identification of the buyer creates an incentive to report other catch data on the logbook. It is easier for NMFS to track the resulting quantity of transactions on land between buyers and sellers, than at sea where vessel time and boarding are expensive.

Name and address of operator/owner. This information is used to identify the respondent and legal entity controlling the fishing practices of the vessel. The latter information is essential in using logbook inspections as a fisheries enforcement tool. For example, violations of quota regulations may be uncovered during an at-sea boarding and inspection, resulting in a fine, permit suspension, or catch seizure. As vessels may be owned by corporations, the identification of owner and operator on the logbook form allows NMFS to sanction the corporation as well as the operator as necessary. Information on the vessel and permit number is also used for further identification.

Signature of Operator and date. This is required to make an official report.

Shellfish Logbook (88-140)

Vessel name and permit number. The vessel permit number is a unique number assigned to each vessel holding a Federal Permit. This information is needed to accurately identify each fishing vessel for which a logbook report has been submitted. Requiring both the vessel name and permit number allows NMFS staff to cross-check both pieces of information to confirm the correct identity. Permit numbers are especially important for monitoring compliance with the reporting regulations and for matching the logbook data submitted by the vessels with the reports of fish purchases provided by dealers.

Signature of Captain/Operator and date. This is required to make an official report.

Date, area fished, time at sea and fishing. This information is all used to quantify actual fishing effort. Fishing effort is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate of catch per unit of time. This information allows comparisons over time and space of catches made by a variety of harvesters. Comparisons of catch and CPUE over time are significant indicators of the biological status of the fisheries. Declining CPUE's can indicate overfishing beyond the level of harvest that is sustainable through natural growth and reproduction of the stock.

Catch and discards. Such species information is the basic measure of fishing success from which fishermen, biologists, and economists draw conclusions about the status of a fishery.

Port landed, buyer, date of sale. These data are used in enforcing fishery regulations to cross-reference the quantity of fish appearing on the market. Enforcement officers conduct inspection at fish off-loading sites to ensure regulations are being met. These data elements are especially useful to monitor quotas or when other constraints on

harvest are used. Also, identification of the buyer creates an incentive to report other catch data on the logbook. It is easier for NMFS to track the resulting quantity of transactions on land between buyers and sellers, than at sea where vessel time and boarding are expensive.

Ex-vessel prices. Prices and values are used in estimating the earnings and profitability of each fishing trip by the vessel operator and in regulatory impact reviews and economic input-output models requiring such data to estimate the economic effects of changes induced by the biology or management of the fishery. Special economic studies are conducted to obtain detailed information on specific issues or fisheries when resources are available.

Allocation number and tag numbers. The allocation number is used on the shellfish log to track the percentage of a vessel's quota that has been harvested against the amount allocated to that vessel. Since the surf clam/ocean quahog fisheries are managed by individual quotas, this data allows NMFS to determine if and when the quota has been reached. The allocation number also provides a way to cross-check the information reported by a vessel with the information reported by the dealer purchasing the product. Each vessel is assigned a range of tag numbers within their allocation number. Tag numbers are used to accurately determine the number of bushels that have been harvested by a given vessel, and provide additional confirmation of accurate reporting.

Vessel IVR

The following information will be collected through the vessel IVR system from vessels issued a limited access tilefish permit or herring permit:

Species Code. Both Atlantic herring and tilefish vessels are required to report landings through the vessel IVR system. In order to differentiate between species, vessels will be required to report a species code. This information is necessary to ensure that landings for Atlantic herring and tilefish are kept separate.

Federal Fisheries Vessel Permit Number. Under the Tilefish FMP, limited access permits will be divided into three categories with three separate TACs. In order to monitor each of these TAC's on an individual basis, it is necessary to collect the federal permit numbers from vessels. These data will be used by the Fishery Statistics Office to classify tilefish landings by permit category, in order to monitor the three individual TACs.

Total Landings, Week, and State. Landings information is necessary in order to monitor catch levels in a timely manner so that effort controls can be implemented before TAC's are attained. In addition, the Fishery Office of Statistics will use data for each week and state the landings occurred to ensure confirmation and accuracy between the vessel logbook and IVR reports.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

The requirement for vessels to call in catches on a weekly basis to an IVR system uses information technology to track catches from individual vessels. The system has been used by dealers to report weekly purchases and facilitate monitoring of quotas in some fisheries. A frequent report of catch locations is necessary to monitor attainment of the TAC in these fisheries. High catch rates during some parts of the fishing year make it important that the reports be received on a weekly basis. The IVR system mitigates the paperwork burden on both the fisherman and NMFS, as it makes it easier to collate the catch reports and monitor landings, relative to weekly logbook reporting.

Every effort continues to be made to use additional computer technology to reduce the public burden. The NERO is reviewing the electronic submission of logbook submissions as part of its Government Paperwork Elimination Act review. Every effort will be made in the future to utilize computer technology to reduce the public burden as the opportunity and technology allow.

4. Describe efforts to identify duplication.

Some of the information provided in the weekly vessel IVR reports by vessel owners or operators will be duplicated in the monthly logbook reports. Catches and federal fisheries permit number will be reported in the IVR system. The monthly logbooks report fishing activity in much more detail. These reports include information on fishing effort, fishing gear, locations of fishing activity, catches and discards of other species, which are necessary to manage the fishery. There is some duplication, in that catch amounts are included in both reports. This duplication is unavoidable. In order to monitor the three different TACs in a timely fashion, catch information must be reported on a frequent basis. Use of the IVR system will collect this information without requiring vessel operators to submit a detailed, paper logbook report on a weekly basis.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

Since most of the fishermen who will respond are considered small businesses, separate requirements based on the size of business have not been developed. One of the most important features of the proposed collection is that it is comprehensive, and includes all vessels with federal permits. Only the minimum data to meet the IVR and logbook objectives are requested from respondents. Much of the logbook's formats have been developed in cooperation with the respondents to ensure ease of use and to obtain feedback on the variables to be maintained. The result is that many fishermen use the logbook as their personal business record. NMFS has responded to this fact by providing multiple copy logbook forms where an original is provided to NMFS and a copy is retained by fishermen.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Experience shows that with current monthly logbook/dealer log reporting, the timeliness with which information becomes available to management is insufficient to monitor/change TAC's. Because vessel trip reports are not required to be submitted until 15 days of the end of the month, there could be as much as 45 days between the date of catch and the date the report is submitted. Mailing and processing time delays collection of the information even longer. This delay, if not corrected, would make it very difficult to judge how much of the TAC has been caught. The weekly reports required in the IVR system are necessary in order to accurately monitor the catch to insure the TAC is not exceeded.

In addition, the collection of logbook data must be a continuous process. The monthly logbook report provides confirmation of the IVR reports and provides additional information on catch locations, gear type, discards, etc., necessary to manage the fishery.

The frequency of reports has been kept to the minimum required for effective management. However, less frequent collection would jeopardize the value of the vessel logbooks as a cross-check on the information provided by the dealers and vessel IVR. Without this frequency of response, NMFS would be unable to accomplish in-season management of fisheries. If the collection were not conducted, more conservative management alternatives which protect the stock would have to be chosen, which would adversely affect fishermen's income and employment.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The data collection is consistent with OMB guidelines, except that it requires information to be reported more frequently than quarterly. The circumstances for this need are fully described in Item 6.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice (copy attached) solicited public comment on this renewal. No comments were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

Neither payments nor gifts are given to the respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

All data will be kept confidential as required by NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and will not be released for public use except in aggregate statistical form without identification as to its source. Confidentiality is also required by section 402(b) of the Magnuson-Stevens Act. Logbooks are also considered confidential under the Trade Secrets Act.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive questions are asked.

12. Provide an estimate in hours of the burden of the collection of information.

Table 1.

Public and Federal Estimate of Reporting Burden Hours and Cost						
Report	No. of Respondents	No. of Annual Responses per Respondent	Total No. of Annual Responses	Response Time (Hours)	Total Burden (Hours)	Public Cost (\$)
FVTR (88-30) Mandatory	4,700	12	56,400	0.0833	4,698	\$70,470
FVTR (88-30)* Halibut-Vol	50	3	150	0.0083	1	\$15
Shellfish Log (88-140)	100	52	5,200	0.20	1,040	\$15,600
Herring IVR*	50	20	1,000	0.067	67	\$1,005
Tilefish IVR*	50	40	2,000	0.067	134	\$2,010
TOTAL	4, 800	N/A	64,750	N/A	5,940	\$89,100

* Respondents for these collections are required to submit FVTRs (Form 88-30) under the mandatory collection program, and so are included in the 4,700 respondents for that collection. To avoid double-counting,, the number of respondents for these collections are not duplicated in the total number of respondents.

Vessels required to complete and submit FVTRs (Form 88-30) include those permitted in the Atlantic mackerel, squid, butterfish, Atlantic sea scallop, NE multispecies, monkfish, summer flounder, scup, black sea bass, Atlantic bluefish, spiny dogfish, Atlantic herring, or tilefish fisheries. According to data available through the Northeast Region Permit database, approximately 4,700 vessels are permitted for one or more fisheries requiring mandatory reporting using Form 88-30. Since many vessels hold permits in more than one fishery, the number of respondents reflects the total number of individual vessels permitted, and not the sum of all permit holders.

The estimated response time for the reporting burden for FVTRs is 5 minutes. It is important to note that much of the information being provided by the respondents, such as fishing location and catch, is already collected and recorded in the normal course of fishing activity, therefore that time is excluded from the calculation. While the fishing vessel logbook information is collected on a trip-by-trip basis, the burden calculation is based on the required monthly submission.

Vessels permitted in the NE Multispecies fishery are asked to submit information on halibut caught on a voluntary basis. It is estimated that reporting of time of day caught and size of the fish caught takes an average of 30 seconds. It is estimated that 50 respondents will submit voluntary reports of halibut catches an average of three times per year. These respondents are accounted for in the mandatory FVTR collection.

Vessels required to complete and submit Shellfish Logs (Form 88-140) include those permitted in the ocean quahog or surf clam fisheries. Approximately 1,700 vessels are permitted in these fisheries, however many of those are also permitted in other fisheries and fulfill their reporting requirements by submitting Form 88-30. Approximately 100 of the vessels permitted in the surfclam and ocean quahog fisheries submit Form 88-140. The estimated response time for the Shellfish Log is 12 minutes.

Vessels required to report purchases through the IVR system include those permitted in the Atlantic herring or tilefish fisheries. Approximately 2,365 vessels are permitted in one of the fisheries requiring IVR reports to be submitted. However, vessels are only required to submit IVR reports if they land the relevant species, and if they meet other criteria. Therefore, only a fraction of those vessels permitted in the herring or tilefish fisheries actually submit IVR reports. These respondents are accounted for in the mandatory FVTR collection. The IVR burden is estimated to be 4 minutes to complete the phone call, including one minute to summarize the information and three minutes to call-in the information.

A wage and overhead rate of \$15.00 per hour is used in calculation of the cost associated with vessel reporting.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.

Table 2

Calculation of Cost to Respondents Excluding Respondent Time			
Form	No. of Annual Responses	Average Postage Cost per Response	Total Costs
88-30 Mandatory	56,400	\$0.45	\$25,380

No special equipment or technology is needed to comply with the reporting requirements reflected in this submission. The IVR system requires only a telephone to call-in reports via a toll-free number. Aside from the cost in time to summarize and call in an IVR report, there will be no additional cost burden for respondents.

The only costs associated with this collection is the cost of postage for submitting the FVTRs. Postage for the Shellfish Logs is paid for by the Government. The number of FVTRs submitted monthly is variable and dependent upon the number of fishing trips made by a vessel. Logbook reports are submitted monthly, with some packages containing one form (\$0.34 postage) and some containing as many as 25 forms (\$1.90 postage). Respondent costs for the FVTRs are calculated based on an average mailing cost for logbooks of \$0.45/submission.

Respondents are required to retain copies of the logbook reports for a period of three years after the date of the last entry on the report for purposes of enforcement investigations, and to serve as the official records for establishing individual vessel allocations. Enforcement investigations may take up to three years before agents interview the respondents. Retention of a copy of the records submitted removes the possible excuse for non-reporting that the original was mailed to but not received by NMFS. Records may also be used to determine historical participants, in the case of limited-entry fisheries. Business records are normally retained for 3 years and many fishermen use these forms for that purpose. Thus, there is minimal impact on public burden by this requirement.

14. Provide estimates of annualized cost to the Federal government.

Table 3

Calculation of Annual Cost to Federal Government			
Logbook Title/No.	Personnel & Services Costs	Other Program Costs	Total Annual Costs
Form 88-30 Mand/Vol/Interviews	658,374	35,000	693,374
Form 88-140 Shellfish	18,359	1,500	19,859
IVR	10,113	1,000	11,113
TOTAL	686,846	37,500	724,346

Table 3 includes annual costs incurred by the Federal government as a result of this collection. The Personnel and Services Costs for Government staff time includes the salary and overhead costs, prorated by the percentage of each staff member's time that is devoted to the collection. Also included are the contract personnel and overhead associated with processing the data gathered as a result of this collection. Other Program Costs include any additional expenses incurred for each collection, such as printing, equipment, mailing, and phone line expenses.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

The program changes are the result of merging requirements previously approved under 0648-0389 and 0648-0407. These increases have been offset by adjustments to reflect the current number of respondents and responses

16. For collections whose results will be published, outline the plans for tabulation and publication.

Results from this collection may be used in scientific, management, technical or general informational publications such as Fisheries of the United States, which follows prescribed statistical tabulations and summary table formats. Data are available to the general public on request in summary form only; data are available to NMFS employees in detailed form on a need-to-know basis only.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Because part of this collection involves an IVR system and not a written form, there is no form on which to display an expiration date. However, an expiration date will be displayed in the instructions and/or cover letter that will be mailed to each permit holder who is required to report

purchases through the IVR system. All logbook forms will display the OMB Control number and expiration date along with information relevant to the PRA.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

FISHING VESSEL TRIP REPORT

**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Northeast Regional Office
One Blackburn Drive
Gloucester, MA 01930-2298**

The National Marine Fisheries Service requires this information for the conservation and management of marine fishery resources in accordance with the Magnuson-Stevens Fishery Conservation and Management Act. The data reported will be used to develop, implement, and monitor fishery management strategies and for a variety of other uses. Submission is mandatory for those persons falling under the requirements of 50 CFR 648.7 (b). All data submitted will be handled as Confidential material in accordance with NOAA Administrative Orders. Public reporting burden for the survey is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to NMFS, One Blackburn Drive, Gloucester, MA 01930.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

FISHING VESSEL TRIP REPORT

☐ DID NOT FISH DURING MONTH/YEAR _____/_____

9874183

1. VESSEL NAME		2. USCG. DOC. or STATE REG. NO.		3. VESSEL PERMIT NUMBER	
4. DATE/TIME SAILED DATE (mm/dd/yy) _____ / _____ / _____ TIME (24 hrs.) _____ : _____		5. TRIP TYPE (CHECK ONE) <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARTY <input type="checkbox"/> CHARTER		6. NO. of CREW	
				7. NO. of ANGLERS	

FILL OUT A NEW PAGE FOR EACH CHART AREA OR GEAR OR MESH/RING SIZE FISHED

[illegible]

23. PORT and STATE LANDED	24. DATE LANDED (mm/dd/yy)	TIME LANDED
	_____ / _____ / _____	_____ : _____
	_____ / _____ / _____	_____ : _____

I certify that the information provided on this form is true, complete and correct to the best of my knowledge, and made in good faith. Making a false statement on this form is punishable by law (18 U.S.C. 1001).

25. OPERATOR'S NAME (printed) and PERMIT NUMBER (if required)	26. OPERATOR'S SIGNATURE	DATE
---	--------------------------	------

NMFS COPY

NOAA Form
88-140

OMB Form
0648-0212
(Expires: 06/30/02)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Northeast Region
One Blackburn Drive
Gloucester, Massachusetts 01930

FISHING TRIP RECORD (SHELLFISH)

Pursuant to: 16 U.S.C. 1801

For the Time Period: _____

PERMIT NUMBER: _____

The National Marine Fisheries Service requires this information for the conservation and management of marine fishery resources in accordance with the Magnuson-Stevens Fishery Conservation and Management Act. The data reported will be used to develop, implement, and monitor fishery management strategies and for a variety of other uses. Submission is mandatory for those persons falling under the requirements of 50 CFR 648.7 (b). All data submitted will be handled as Confidential material in accordance with NOAA Administrative Orders. Public reporting burden for the survey is estimated to average 12 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to NMFS, One Blackburn Drive, Gloucester, MA 01930.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

OWNER'S SIGNATURE _____



0990

CATCH RECORD: Week of: _____ Vessel Name/Permit Number: _____

Captain or Owner Signature and Date: _____

Trip No.	Date	Area Fished Longitude/Latitude or LORAN Bearing	Time at Sea ----- 0.1 hrs.	Time in Fishing ----- 0.1 hrs.	Catch in Bushels	Average Discard Percent	Port Landed	Name of Buyer and Date of Sale	Price per Bushel	Allocation Number	Tag Numbers
SURF CLAMS											
1											
2											
3											
4											
5											
6											
7											
8											
OCEAN QUAHOGS											
1											
2											
3											
4											
5											
6											
7											
8											

Comments:

NMFS COPY

§ 648.6 Dealer/processor permits.

(a) *General.* (1) All dealers of NE multispecies, monkfish, Atlantic herring, Atlantic sea scallop, spiny dogfish, summer flounder, Atlantic surf clam, ocean quahog, Atlantic mackerel, squid, butterfish, scup, bluefish, tilefish, and black sea bass; Atlantic surf clam and ocean quahog processors; and Atlantic herring processors or dealers, as described in § 648.2; must have been issued under this section, and have in their possession, a valid permit or permits for these species. A person who meets the requirements of both the dealer and processor definitions of any of the aforementioned species' fishery regulations may need to obtain both a dealer and a processor permit, consistent with the requirements of that particular species' fishery regulations. Persons aboard vessels receiving small-mesh multispecies and/or Atlantic herring at sea for their own use exclusively as bait are deemed not to be dealers, and are not required to possess a valid dealer permit under this section, for purposes of receiving such small-mesh multispecies and/or Atlantic herring, provided the vessel complies with the provisions of § 648.13.

* * * * *

§ 648.7 Recordkeeping and reporting requirements.

(a) *Dealers*—(1) *Detailed weekly report.* Federally permitted dealers must submit to the Regional Administrator or to the official designee a detailed weekly report, within the time periods specified in paragraph (f) of this section, on forms supplied by or approved by the Regional Administrator and a report of all fish purchases, except surf clam and ocean quahog dealers or processors who are required to report only surf clam and ocean quahog purchases. If authorized in writing by the Regional Administrator, dealers may submit reports electronically or through other media. The following information, and any other information required by the Regional Administrator, must be provided in the report:

(i) All dealers issued a dealer permit under this part, with the exception of those utilizing the surf clam or ocean quahog dealer permit, must provide: Dealer name and mailing address; dealer permit number; name and permit number or name and hull number (USCG documentation number or state registration number, whichever is applicable) of vessels from which fish are landed or received; trip identifier for a

trip from which fish are landed or received; dates of purchases; pounds by species (by market category, if applicable); price per pound by species (by market category, if applicable) or total value by species (by market category, if applicable); port landed; signature of person supplying the information; and any other information deemed necessary by the Regional Administrator. The dealer or other authorized individual must sign all report forms. If no fish are purchased during a reporting week, no written report is required to be submitted. If no fish are purchased during an entire reporting month, a report so stating on the required form must be submitted.

(ii) Surf clam and ocean quahog processors and dealers must provide: Date of purchase or receipt; name, permit number and mailing address; number of bushels by species; cage tag numbers; allocation permit number; vessel name and permit number; price per bushel by species. Dealers must also report disposition of surf clams or ocean quahogs, including name and permit number of recipients. Processors must also report size distribution and meat yield per bushel by species.

(2) *Weekly IVR system reports.* (i) Federally permitted dealers, other than Atlantic herring dealers, purchasing quota-managed species not deferred from coverage by the Regional Administrator pursuant to paragraph (a)(2)(ii) of this section must submit, within the time period specified in paragraph (f) of this section, the following information, and any other information required by the Regional Administrator, to the Regional Administrator or to an official designee, via the IVR system established by the Regional Administrator: Dealer permit number; dealer code; pounds purchased, by species, other than Atlantic herring; reporting week in which species were purchased; and state of landing for each species purchased. If no purchases of quota-managed species not deferred from coverage by the Regional Administrator pursuant to paragraph (a)(2)(ii) of this section were made during the week, a report so stating must be submitted through the IVR system in accordance with paragraph (f) of this section.

(ii) The Regional Administrator may defer any quota-managed species from the IVR system reporting requirements if landings are not expected to reach levels that would cause the applicable target exploitation rate corresponding to a given domestic annual harvest limit, target or actual TAC, or annual or seasonal quota specified for that species to be exceeded. The Regional Administrator shall base any such determination on the purchases reported, by species, in the comprehensive written reports submitted by dealers and other available information. If the Regional Administrator determines that any quota-managed species should be deferred from the weekly IVR system reporting requirements, the Regional Administrator shall publish notification so stating in the FEDERAL REGISTER. If data indicate that landing levels have increased to an extent that this determination ceases to be valid, the Regional Administrator shall terminate the deferral by publishing notification in the FEDERAL REGISTER.

(3) *Annual report.* All persons required to submit reports under paragraph (a)(1) of this section are required to submit the following information on an annual basis, on forms supplied by the Regional Administrator:

(i) All dealers issued a dealer permit under this part, with the exception of those processing only surfclams or ocean quahogs, must complete all sections of the Annual Processed Products Report for all species of fish or shellfish that were processed during the previous year. Reports must be submitted to the address supplied by the Regional Administrator.

(ii) Surf clam and ocean quahog processors and dealers must provide the average number of processing plant employees during each month of the year just ended; average number of employees engaged in production of processed surf clam and ocean quahog products, by species, during each month of the year just ended; plant capacity to process surf clam and ocean quahog shellstock, or to process surf clam and ocean quahog meats into finished products, by species; an estimate, for the next year, of such processing capacities; and total payroll for surf clam and ocean quahog processing, by

month. If the plant processing capacities required to be reported in this paragraph (a)(3)(ii) change more than 10 percent during any year, the processor shall notify the Regional Administrator in writing within 10 days after the change.

(iii) Atlantic herring processors, including processing vessels, must complete and submit all sections of the Annual Processed Products Report.

(b) *Vessel owners or operators*—(1) *Fishing Vessel Trip Reports*—(i) The owner or operator of any vessel issued a valid permit under this part must maintain on board the vessel, and submit, an accurate fishing log report for each fishing trip, regardless of species fished for or taken, on forms supplied by or approved by the Regional Administrator. If authorized in writing by the Regional Administrator, a vessel owner or operator may submit reports electronically, for example by using a VMS or other media. With the exception of those vessel owners or operators fishing under a surfclam or ocean quahog permit, at least the following information and any other information required by the Regional Administrator, must be provided: vessel name; USCG documentation number (or state registration number, if undocumented); permit number; date/time sailed; date/time landed; trip type; number of crew; number of anglers (if a charter or party boat); gear fished; quantity and size of gear; mesh/ring size; chart area fished; average depth; latitude/longitude (or loran station and bearings); total hauls per area fished; average tow time duration; hail weight, in pounds (or count of individual fish, if a party or charter vessel), by species, of all species, or parts of species, such as monkfish livers, landed or discarded; dealer permit number; dealer name; date sold, port and state landed; and vessel operator's name, signature, and operator's permit number (if applicable).

(ii) *Surf clam and ocean quahog vessel owners and operators.* The owner or operator of any vessel conducting any surf clam and ocean quahog fishing operations, except those conducted exclusively in waters of a state that requires cage tags or when he/she has surrendered the surf clam and ocean quahog fishing vessel permit, shall maintain,

on board the vessel, an accurate daily fishing log for each fishing trip, on forms supplied by the Regional Administrator, showing at least: Name and permit number of the vessel, total amount in bushels of each species taken, date(s) caught, time at sea, duration of fishing time, locality fished, crew size, crew share by percentage, landing port, date sold, price per bushel, buyer, tag numbers from cages used, quantity of surf clams and ocean quahogs discarded, and allocation permit number.

(iii) The owner or operator of a vessel described here must report catches (retained and discarded) of herring each week to an IVR system. The report shall include at least the following information, and any other information required by the Regional Administrator: Vessel identification, reporting week in which species are caught, pounds retained, pounds discarded, management area fished, and pounds of herring caught in each management area for the previous week. Weekly Atlantic herring catch reports must be submitted via the IVR system by midnight, Eastern time, each Tuesday for the previous week. Reports are required even if herring caught during the week has not yet been landed. This report does not exempt the owner or operator from other applicable reporting requirements of § 648.7.

(A) The owner or operator of any vessel issued a permit for Atlantic herring subject to the requirements specified by § 648.4(c)(2)(vi)(C) that is required by § 648.205 to have a VMS unit on board must submit an Atlantic herring catch report via the IVR system each week (including weeks when no herring is caught), unless exempted from this requirement by the Regional Administrator.

(B) An owner or operator of any vessel issued a permit for Atlantic herring that is not required by § 648.205 to have a VMS unit on board, or any vessel that catches herring in or from the EEZ, but catches $\geq 2,000$ lb (907.2 kg) of Atlantic herring on any trip in a week, must submit an Atlantic herring catch report via the IVR system for that week as required by the Regional Administrator.

(C) Atlantic herring IVR reports are not required from Atlantic herring carrier vessels.

(c) *When to fill out a log report.* Log reports required by paragraph (b)(1)(i) of this section must be filled out with all required information, except for information not yet ascertainable, prior to entering port with fish. Information that may be considered unascertainable prior to entering port with fish includes dealer name, dealer permit number, and date sold. Log reports must be completed as soon as the information becomes available. Log reports required by paragraph (b)(1)(ii) of this section must be filled out before landing any surfclams or ocean quahogs.

(d) *Inspection.* All persons required to submit reports under this section, upon the request of an authorized officer, or by an employee of NMFS designated by the Regional Administrator to make such inspections, must make immediately available for inspection copies of the required reports that have been submitted, or should have been submitted, and the records upon which the reports were based. At any time during or after a trip, owners and operators must make immediately available for inspection the fishing log reports currently in use, or to be submitted.

(e) *Record retention.* Copies of dealer reports, and records upon which the reports were based, must be retained and be available for review for a total of 3 years after the date of the last entry on the report. Dealers must retain required reports and records at their principal place of business. Copies of fishing log reports must be kept on board the vessel for at least 1 year and available for review and retained for a total of 3 years after the date of the last entry on the log.

(f) *Submitting reports—(1) Dealer or processor reports.* (i) Detailed weekly trip reports, required by paragraph (a)(1)(i) of this section, must be postmarked or received within 16 days after the end of each reporting week. If no fish are purchased during a reporting month, the report so stating required under paragraph (a)(1)(i) of this section must be postmarked or received within 16 days after the end of the reporting month.

§ 648.8

(ii) Surfclam and ocean quahog reports, required by paragraph (a)(1)(ii) of this section, must be postmarked or received within 3 days after the end of each reporting week.

(iii) Weekly IVR system reports required in paragraph (a)(2) of this section must be submitted via the IVR system by midnight, Eastern time, each Tuesday for the previous reporting week.

(iv) Annual reports for a calendar year must be postmarked or received by February 10 of the following year. Contact the Regional Administrator (see Table 1 to §600.502) for the address of NMFS Statistics.

(2) *Fishing vessel log reports.* (i) Fishing vessel log reports, required by paragraph (b)(1)(i) of this section, must be postmarked or received within 15 days after the end of the reporting month. Each owner will be sent forms and instructions, including the address to which reports are to be submitted, shortly after receipt of a Federal fisheries permit. If no fishing trip is made during a month, a report stating so must be submitted.

(ii) Surfclam and ocean quahog log reports, required by paragraph (b)(1)(ii) of this section, must be postmarked or received within 3 days after the end of each reporting week.

(3) *At-sea purchasers, receivers, or processors.* All persons, except persons on Atlantic herring carrier vessels, purchasing, receiving, or processing any Atlantic herring, summer flounder, Atlantic mackerel, squid, butterfish, scup, or black sea bass at sea for landing at any port of the United States must submit information identical to that required by paragraphs (a)(1) or (a)(2) of this section, as applicable, and provide those reports to the Regional Administrator or designee on the same frequency basis.

(g) *Additional data and sampling.* Federally permitted dealers must allow access to their premises and make available to an official designee of the Regional Administrator any fish purchased from vessels for the collection of biological data. Such data include, but are not limited to, length measure-

50 CFR Ch. VI (10–1–01 Edition)

ments of fish and the collection of age structures such as otoliths or scales.

[61 FR 34968, July 3, 1996, as amended at 61 FR 43425, Aug. 23, 1996; 61 FR 58465, Nov. 15, 1996; 62 FR 14646, Mar. 27, 1997; 63 FR 52640, Oct. 1, 1998; 63 FR 58329, Oct. 30, 1998; 64 FR 57593, Oct. 26, 1999; 65 FR 1569, Jan. 11, 2000; 65 FR 45851, July 26, 2000; 65 FR 60895, Oct. 13, 2000; 65 FR 77465, Dec. 11, 2000]

EFFECTIVE DATE NOTE: At 66 FR 49144, Sept. 26, 2001, §648.7 was amended by revising the first sentence of paragraph (a)(2)(i) and adding paragraph (b)(1)(iv), effective Nov. 1, 2001. For the convenience of the user the revised text follows:

§ 648.7 Recordkeeping and reporting requirements.

- (a) * * *

- (2) * * *

(i) Federally permitted dealers, other than Atlantic herring and tilefish dealers, purchasing quota-managed species not deferred from coverage by the Regional Administrator pursuant to paragraph (a)(2)(ii) of this section must submit, within the time period specified in paragraph (f) of this section, the following information, and any other information required by the Regional Administrator, to the Regional Administrator or to an official designee, via the IVR system established by the Regional Administrator: Dealer permit number; dealer code; pounds purchased, by species, other than Atlantic herring and tilefish; reporting week in which species were purchased; and state of landing for each species purchased. * * *

* * * * *

- (b) * * *

- (1) * * *

(iv) The owner or operator of any vessel issued a limited access permit for tilefish must submit a tilefish catch report via the IVR system within 24 hours after returning to port and offloading as required by the Regional Administrator. The report shall include at least the following information, and any other information required by the Regional Administrator: Vessel identification, trip during which species are caught, and pounds landed. IVR reporting does not exempt the owner or operator from other applicable reporting requirements of §648.7.

* * * * *

§ 648.8 Vessel identification.

(a) *Vessel name and official number.* Each fishing vessel subject to this part and over 25 ft (7.6 m) in registered length must:

SEC. 303. CONTENTS OF FISHERY MANAGEMENT PLANS 16 U.S.C. 1853

95-354, 99-659, 101-627, 104-297

(a) REQUIRED PROVISIONS.--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, shall--

(1) contain the conservation and management measures, applicable to foreign fishing and fishing by vessels of the United States, which are--

(A) necessary and appropriate for the conservation and management of the fishery to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery;

(B) described in this subsection or subsection (b), or both; and

(C) consistent with the national standards, the other provisions of this Act, regulations implementing recommendations by international organizations in which the United States participates (including but not limited to closed areas, quotas, and size limits), and any other applicable law;

(2) contain a description of the fishery, including, but not limited to, the number of vessels involved, the type and quantity of fishing gear used, the species of fish involved and their location, the cost likely to be incurred in management, actual and potential revenues from the fishery, any recreational interest in the fishery, and the nature and extent of foreign fishing and Indian treaty fishing rights, if any;

(3) assess and specify the present and probable future condition of, and the maximum sustainable yield and optimum yield from, the fishery, and include a summary of the information utilized in making such specification;

(4) assess and specify--

(A) the capacity and the extent to which fishing vessels of the United States, on an annual basis, will harvest the optimum yield specified under paragraph (3),

(B) the portion of such optimum yield which, on an annual basis, will not be harvested by fishing vessels of the United States and can be made available for foreign fishing, and

(C) the capacity and extent to which United States fish processors, on an annual basis, will process that portion of such optimum yield that will be harvested by fishing vessels of the United States;

(5) specify the pertinent data which shall be submitted to the Secretary with respect to commercial, recreational, and charter fishing in the fishery, including, but not limited to,

information regarding the type and quantity of fishing gear used, catch by species in numbers of fish or weight thereof, areas in which fishing was engaged in, time of fishing, number of hauls, and the estimated processing capacity of, and the actual processing capacity utilized by, United States fish processors;

(6) consider and provide for temporary adjustments, after consultation with the Coast Guard and persons utilizing the fishery, regarding access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safe conduct of the fishery; except that the adjustment shall not adversely affect conservation efforts in other fisheries or discriminate among participants in the affected fishery;

(7) describe and identify essential fish habitat for the fishery based on the guidelines established by the Secretary under section 305(b)(1)(A), minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat;

(8) in the case of a fishery management plan that, after January 1, 1991, is submitted to the Secretary for review under section 304(a) (including any plan for which an amendment is submitted to the Secretary for such review) or is prepared by the Secretary, assess and specify the nature and extent of scientific data which is needed for effective implementation of the plan;

(9) include a fishery impact statement for the plan or amendment (in the case of a plan or amendment thereto submitted to or prepared by the Secretary after October 1, 1990) which shall assess, specify, and describe the likely effects, if any, of the conservation and management measures on--

(A) participants in the fisheries and fishing communities affected by the plan or amendment; and

(B) participants in the fisheries conducted in adjacent areas under the authority of another Council, after consultation with such Council and representatives of those participants;

(10) specify objective and measurable criteria for identifying when the fishery to which the plan applies is overfished (with an analysis of how the criteria were determined and the relationship of the criteria to the reproductive potential of stocks of fish in that fishery) and, in the case of a fishery which the Council or the Secretary has determined is approaching an overfished condition or is overfished, contain conservation and management measures to prevent overfishing or end overfishing and rebuild the fishery;

(11) establish a standardized reporting methodology to assess the amount and type of bycatch occurring in the fishery, and include conservation and management measures that, to the extent practicable and in the following priority--

(A) minimize bycatch; and

(B) minimize the mortality of bycatch which cannot be avoided;

(12) assess the type and amount of fish caught and released alive during recreational fishing under catch and release fishery management programs and the mortality of such fish, and include conservation and management measures that, to the extent practicable, minimize mortality and ensure the extended survival of such fish;

(13) include a description of the commercial, recreational, and charter fishing sectors which participate in the fishery and, to the extent practicable, quantify trends in landings of the managed fishery resource by the commercial, recreational, and charter fishing sectors; and

(14) to the extent that rebuilding plans or other conservation and management measures which reduce the overall harvest in a fishery are necessary, allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery.

97-453, 99-659, 101-627, 102-251, 104-297

(b) DISCRETIONARY PROVISIONS.--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to--

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone [or special areas,]* or for anadromous species or Continental Shelf fishery resources beyond such zone [or areas]*;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

(2) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(3) establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the--

(A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors);

(B) sale of fish caught during commercial, recreational, or charter fishing, consistent with any applicable Federal and State safety and quality requirements; and

(C) transshipment or transportation of fish or fish products under permits issued pursuant to section 204;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery;

(6) establish a limited access system for the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

(A) present participation in the fishery,

(B) historical fishing practices in, and dependence on, the fishery,

(C) the economics of the fishery,

(D) the capability of fishing vessels used in the fishery to engage in other fisheries,

(E) the cultural and social framework relevant to the fishery and any affected fishing communities, and

(F) any other relevant considerations;

(7) require fish processors who first receive fish that are subject to the plan to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

(8) require that one or more observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;

(10) include, consistent with the other provisions of this Act, conservation and management measures that provide harvest incentives for participants within each gear group to employ fishing practices that result in lower levels of bycatch or in lower levels of the mortality of bycatch;

(11) reserve a portion of the allowable biological catch of the fishery for use in scientific research; and

(12) prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.

97-453, 104-297

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****[I.D. 021902E]****Proposed Information Collection; Comment Request; Northeast Region Logbook Family of Forms**

AGENCY: National Oceanic and Atmospheric Administration (NOAA).
ACTION: Notice

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before April 23, 2002.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at mClayton@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Kelley McGrath, One Blackburn Drive, Gloucester, MA 10930 (phone 978-281-9307 or e-mail Kelley.McGrath@noaa.gov).

SUPPLEMENTARY INFORMATION:
 SUPPLEMENTARY INFORMATION:

I. Abstract

Fishing vessels permitted to participate in Federally-permitted fisheries in the Northeast are required to submit logbooks containing catch and effort information about their fishing trips. Participants in the herring and tilefish fisheries are also required to make weekly reports on their catch through an Interactive Voice Response (IVR) system. In addition, permitted vessels that catch halibut are asked to voluntarily provide additional information on the estimated size of the fish and the time of day caught. The information submitted is needed for the management of the fisheries.

This action seeks to both renew Paperwork Reduction Act clearance for this collection and to merge related requirements for bluefish and herring cleared under OMB control numbers 0648-0389 and 0648-0407.

II. Method of Collection

Most information is submitted on paper forms, although electronic means may be arranged. In the herring and tilefish fisheries vessel owners or operators must provide weekly catch information to an IVR system.

III. Data

OMB Number: 0648-0212.
 Form Number: NOAA Forms 88-30, 88-140.

Type of Review: Regular submission.
 Affected Public: Business and other for-profit organizations.

Estimated Number of Respondents: 5,640.

Estimated Time Per Response: 5 minutes per Fishing Vessel Trip Report page (FVTR); 12.5 minutes per response for the Shellfish Log; 4 minutes for a herring or tilefish report to the IVR system; and 30 seconds for voluntary additional halibut information.

Estimated Total Annual Burden Hours: 6,396.

Estimated Total Annual Cost to Public: \$28,000.

IV. Request for Comments

Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 14, 2002.

Gwellnar Banks,
Management Analyst, Office of the Chief Information Officer.

[FR Doc. 02-4280 Filed 2-21-02; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE**[I.D. 021502A]****Submission for OMB Review; Comment Request**

The Department of Commerce has submitted to the Office of Management

and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Fisheries Finance Program Requirements.

Form Number(s): NOAA Form 88-1.

OMB Approval Number: 0648-0012.

Type of Request: Regular submission.

Burden Hours: 10,000.

Number of Respondents: 1,250.

Average Hours Per Response: 8.

Needs and Uses: NOAA operates a direct loan program to assist in financing certain actions relating to commercial fishing vessels, shoreside fishery facilities, aquaculture operations, and individual fishing quotas. Application information is required to determine eligibility pursuant to 50 CFR Part 253 and to determine the type and amount of assistance requested by the applicant. An annual financial statement is required from recipients to monitor the financial status of the loan.

Affected Public: Business or other for-profit organizations, individuals or households.

Frequency: On occasion, annually.

Respondent's Obligation: Required to obtain or retain a benefit.

OMB Desk Officer: David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Madeleine Clayton, Departmental Paperwork Clearance Officer, (202) 482-3129, Department of Commerce, Room 6086, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at MClayton@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: February 14, 2002.

Gwellnar Banks,
Management Analyst, Office of the Chief Information Officer.

[FR Doc. 02-4273 Filed 2-21-02; 8:45 am]

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